

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing
(day/month/year)

Applicant's or agent's file reference

PCT-23

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/JP2005/003904

International filing date (day/month/year)

07.03.2005

Priority date (day/month/year)

05.03.2004

International Patent Classification (IPC) or both national classification and IPC

Applicant

AININ AW CO., LTD

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP

Authorized officer

Facsimile No.

Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2005/003904

Box No. I

Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐

This opinion has been established on the basis of a translation from the original language into the following language

_____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

☐

a sequence listing

☐

table(s) related to the sequence listing

b. format of material

☐

in written format

☐

in computer readable form

c. time of filing/furnishing

☐

contained in the international application as filed.

☐

filed together with the international application in computer readable form.

☐

furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/JP2005/003904

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-10	YES
	Claims		NO
Inventive step (IS)	Claims		YES
	Claims	1-10	NO
Industrial applicability (IA)	Claims	1-10	YES
	Claims		NO

2. Citations and explanations:

Document 1: JP, 3011043, U (Dainichi Seikan Kabushiki Kaisha), 16 May, 1995 (16.05.95), full text, all drawings

Document 2: JP, 2002-56375, A (Daihatsu Motor Co., Ltd.), 20 February, 2002 (20.02.02), full text, all drawings

Document 3: JP, 6-76106, A (Nippon Steel Corp.), 18 March, 1994 (18.03.94), full text, all drawings

Document 4: JP, 2000-236533, A (Novaks Co., Ltd.), 29 August, 2000 (29.08.00), full text, all drawings

The subject matters of claims 4-6, 9 and 10 do not appear to involve an inventive step in view of document 1 or document 2 and document 3 cited in the ISR. Document 1 describes that (1) a top and bottom sheet of a rectangular type 18 L metal can coated with a sealing compound is photographed by a camera, and (2) a coating shortage of the sealing compound is detected. Furthermore, document 2 describes that (1) FIPG in the form of a paste which seals an oil pan is photographed by the camera, (2) an image is extracted from the FIPG by processing, and (3) whether the coating of FIPG is good or bad is determined by inspection. On the other hand, document 3 describes that the image to be photographed is obtained by operating a television camera having the functions of automatic focusing and automatic zooming as a character image input device, as required. The invention described in document 1 or 2 and the invention described in document 3 belong to a similar technical field in the constitution of obtaining an image by a camera and processing the image. So, a person skilled in the art could have easily conceived of the constitution to photograph by operating the camera described in the invention of document 1 or 2 in response to the invention described in document 3.

The subject matters of claims 1, 3, 7 and 8 do not appear to involve an inventive step in view of document 1 or document 2 and document 3 cited in the ISR. These claims are described as the generic concept with regard to the aforesaid claim 4. As mentioned above, these claims do not appear to involve an inventive step.

The subject matter of claim 2 does not appear to involve an inventive step in view of document 1, or document 2, document 3 and document 4 cited in the ISR. It has been known that an exposure adjustment circuit is included in a television camera, for example, as described in document 4. Documents 1-3 do not clearly state that the exposure adjustment circuit is included in the television camera. However, a person skilled in the art could have, as required, arrived at installing the exposure adjustment circuit as described in document 4.

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International application No.

PCT/JP2005/003904

Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	1-10	YES
	Claims		NO
Inventive step (IS)	Claims		YES
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Industrial applicability (IA)	Claims	1-10	YES
	Claims		NO
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<p>Document 1: JP, 3011043, U (Dainichi Seikan Kabushiki Kaisha), 16 May, 1995 (16.05.95), full text, all drawings</p> <p>Document 2: JP, 2002-56375, A (Daihatsu Motor Co., Ltd.), 20 February, 2002 (20.02.02), full text, all drawings</p> <p>Document 3: JP, 6-76106, A (Nippon Steel Corp.), 18 March, 1994 (18.03.94), full text, all drawings</p> <p>Document 4: JP, 2000-236533, A (Novaks Co., Ltd.), 29 August, 2000 (29.08.00), full text, all drawings</p> <p>The subject matters of claims 4-6, 9 and 10 do not appear to involve an inventive step in view of document 1 or document 2 and document 3 cited in the ISR. Document 1 describes that (1) a top and bottom sheet of a rectangular type 18 L metal can coated with a sealing compound is photographed by a camera, and (2) a coating shortage of the sealing compound is detected. Furthermore, document 2 describes that (1) FIPG in the form of a paste which seals an oil pan is photographed by the camera, (2) an image is extracted from the FIPG by processing, and (3) whether the coating of FIPG is good or bad is determined by inspection. On the other hand, document 3 describes that the image to be photographed is obtained by operating a television camera having the functions of automatic focusing and automatic zooming as a character image input device, as required. The invention described in document 1 or 2 and the invention described in document 3 belong to a similar technical field in the constitution of obtaining an image by a camera and processing the image. So, a person skilled in the art could have easily conceived of the constitution to photograph by operating the camera described in the invention of document 1 or 2 in response to the invention described in document 3.</p> <p>The subject matters of claims 1, 3, 7 and 8 do not appear to involve an inventive step in view of document 1 or document 2 and document 3 cited in the ISR. These claims are described as the generic concept with regard to the aforesaid claim 4. As mentioned above, these claims do not appear to involve an inventive step.</p> <p>The subject matter of claim 2 does not appear to involve an inventive step in view of document 1, or document 2, document 3 and document 4 cited in the ISR. It has been known that an exposure adjustment circuit is included in a television camera, for example, as described in document 4. Documents 1-3 do not clearly state that the exposure adjustment circuit is included in the television camera. However, a person skilled in the art could have, as required, arrived at installing the exposure adjustment circuit as described in document 4.</p>			

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International application No.

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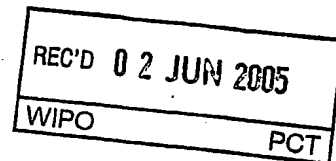
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特許協力条約

発信人 日本国特許庁（国際調査機関）

代理人 長谷 照一 様 あて名 〒460-0003 愛知県名古屋市中区錦1丁目6番17号 オリジン 錦9F



PCT
 国際調査機関の見解書
 (法施行規則第40条の2)
 [PCT規則43の2.1]

発送日
 (日.月.年) 31.5.2005

出願人又は代理人
 の書類記号 PCT-23

今後の手続きについては、下記2を参照すること。

国際出願番号
 PCT/J P 2005/003904

国際出願日
 (日.月.年) 07.03.2005

優先日
 (日.月.年) 05.03.2004

国際特許分類 (IPC) Int.Cl.⁷ G01N21/84, H04N5/225

出願人 (氏名又は名称)
 アイシン・エイ・ダブリュ株式会社

1. この見解書は次の内容を含む。

- ☒ 第I欄 見解の基礎
- ☐ 第II欄 優先権
- ☐ 第III欄 新規性、進歩性又は産業上の利用可能性についての見解の不作成
- ☐ 第IV欄 発明の単一性の欠如
- ☒ 第V欄 PCT規則43の2.1(a)(i)に規定する新規性、進歩性又は産業上の利用可能性についての見解、それを裏付けるための文献及び説明
- ☐ 第VI欄 ある種の引用文献
- ☐ 第VII欄 国際出願の不備
- ☐ 第VIII欄 国際出願に対する意見

2. 今後の手続き

国際予備審査の請求がされた場合は、出願人がこの国際調査機関とは異なる国際予備審査機関を選択し、かつ、その国際予備審査機関がPCT規66.1の2(b)の規定に基づいて国際調査機関の見解書を国際予備審査機関の見解書とみなさない旨を国際事務局に通知していた場合を除いて、この見解書は国際予備審査機関の最初の見解書とみなされる。

この見解書が上記のように国際予備審査機関の見解書とみなされる場合、様式PCT/ISA/220を送付した日から3月又は優先日から22月のうちいずれか遅く満了する期限が経過するまでに、出願人は国際予備審査機関に、適当な場合は補正書とともに、答弁書を提出することができる。

さらなる選択肢は、様式PCT/ISA/220を参照すること。

3. さらなる詳細は、様式PCT/ISA/220の備考を参照すること。

見解書を作成した日

17.05.2005

名称及びあて先

日本国特許庁 (ISA/J P)
 郵便番号100-8915
 東京都千代田区霞が関三丁目4番3号

特許庁審査官 (権限のある職員)

田邊 英治

電話番号 03-3581-1101 内線 3292

2W 9409

様式PCT/ISA/237 (表紙) (2004年1月)

第I欄 見解の基礎

1. この見解書は、下記に示す場合を除くほか、国際出願の言語を基礎として作成された。

☐ この見解書は、_____ 語による翻訳文を基礎として作成した。
それは国際調査のために提出されたPCT規則12.3及び23.1(b)にいう翻訳文の言語である。

2. この国際出願で開示されかつ請求の範囲に係る発明に不可欠なヌクレオチド又はアミノ酸配列に関して、以下に基づき見解書を作成した。

a. タイプ ☐ 配列表

☐ 配列表に関連するテーブル

b. フォーマット ☐ 書面

☐ コンピュータ読み取り可能な形式

c. 提出時期 ☐ 出願時の国際出願に含まれる

☐ この国際出願と共にコンピュータ読み取り可能な形式により提出された

☐ 出願後に、調査のために、この国際調査機関に提出された

3. ☐ さらに、配列表又は配列表に関連するテーブルを提出した場合に、出願後に提出した配列若しくは追加して提出した配列が出願時に提出した配列と同一である旨、又は、出願時の開示を超える事項を含まない旨の陳述書の提出があった。

4. 補足意見：

第V欄 新規性、進歩性又は産業上の利用可能性についてのPCT規則43の2.1(a)(i)に定める見解、
それを裏付ける文献及び説明

1. 見解

新規性 (N)	請求の範囲	1-10	有 無
	請求の範囲		
進歩性 (IS)	請求の範囲		有 無
	請求の範囲	1-10	
産業上の利用可能性 (IA)	請求の範囲	1-10	有 無
	請求の範囲		

2. 文献及び説明

- 文献1 : JP 3011043 U (大日製罐株式会社) 1995.05.16, 全文、全図
 文献2 : JP 2002-56375 A (ダイハツ工業株式会社) 2002.02.20, 全文、全図
 文献3 : JP 6-76106 A (新日本製鐵株式会社) 1994.03.18, 全文、全図
 文献4 : JP 2000-236533 A (株式会社ノバックス) 2000.08.29, 全文、全図

請求の範囲4-6、9、10に係る発明は、国際調査報告で引用された文献1又は文献2及び文献3より進歩性を有しない。文献1には角型18L金属缶のシール剤が塗布された天地板をカメラで撮像し、シール剤の塗布切れを検出することが記載されている。また文献2にはオイルパンをシールするペースト状のFIPGをカメラで撮像し、画像処理によりFIPGを画像抽出し、FIPGの塗布良否の検査を行うことが記載されている。一方、文献3には、文字画像入力装置として、自動フォーカス・自動ズームの機能を有するテレビカメラを適宜旋回することで撮像対象の画像を取得することが記載されている。文献1又は2に記載された発明と、文献3に記載された発明は、いずれもカメラで画像を取得し、その画像を処理する点で類似の技術分野に属するものであり、文献1又は2に記載された発明のカメラを、文献3に記載された発明に応じて旋回して撮像するような構成とすることは、当業者であれば容易に想到し得たものである。

請求の範囲1、3、7、8に係る発明は、国際調査報告で引用された文献1又は文献2及び文献3より進歩性を有しない。これらの請求の範囲は、上記請求の範囲4に対して上位概念として記載されており、上述の通り進歩性を有しないものである。

請求の範囲2に係る発明は、国際調査報告で引用された文献1又は文献2及び文献3並びに文献4より進歩性を有しない。テレビカメラが露出調整回路を内蔵していることは、例えば文献4に記載されるように、従来知られている。上記文献1乃至3には、テレビカメラが露出調整回路を内蔵することは明記されていないが、文献4に記載されるような露出調整回路を設けることは、当業者において必要に応じて為し得たものである。

特許協力条約

発信人 日本国特許庁（国際調査機関）

代理人

長谷 照一

様

あて名

〒460-0003

愛知県名古屋市中区錦1丁目6番17号 オリジン
錦9F

REC'D 02 JUN 2005

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国際調査機関の見解書
(法施行規則第40条の2)
[PCT規則43の2.1]

発送日
(日.月.年)

31.5.2005

出願人又は代理人

の書類記号 PCT-23

今後の手続きについては、下記2を参照すること。

国際出願番号

PCT/JP2005/003904

国際出願日

(日.月.年) 07.03.2005

優先日

(日.月.年) 05.03.2004

国際特許分類 (IPC) Int.Cl.⁷ G01N21/84, H04N5/225

出願人 (氏名又は名称)

アイシン・エイ・ダブリュ株式会社

1. この見解書は次の内容を含む。

- ☒ 第I欄 見解の基礎
- ☐ 第II欄 優先権
- ☐ 第III欄 新規性、進歩性又は産業上の利用可能性についての見解の不作成
- ☐ 第IV欄 発明の単一性の欠如
- ☒ 第V欄 PCT規則43の2.1(a)(i)に規定する新規性、進歩性又は産業上の利用可能性についての見解、それを裏付けるための文献及び説明
- ☐ 第VI欄 ある種の引用文献
- ☐ 第VII欄 国際出願の不備
- ☐ 第VIII欄 国際出願に対する意見

2. 今後の手続き

国際予備審査の請求がされた場合は、出願人がこの国際調査機関とは異なる国際予備審査機関を選択し、かつ、その国際予備審査機関がPCT規66.1の2(b)の規定に基づいて国際調査機関の見解書を国際予備審査機関の見解書とみなさない旨を国際事務局に通知していた場合を除いて、この見解書は国際予備審査機関の最初の見解書とみなされる。

この見解書が上記のように国際予備審査機関の見解書とみなされる場合、様式PCT/ISA/220を送付した日から3月又は優先日から22月のうちいずれか遅く満了する期限が経過するまでに、出願人は国際予備審査機関に、適当な場合は補正書とともに、答弁書を提出することができる。

さらなる選択肢は、様式PCT/ISA/220を参照すること。

3. さらなる詳細は、様式PCT/ISA/220の備考を参照すること。

見解書を作成した日

17.05.2005

名称及びあて先

日本国特許庁 (ISA/JP)

郵便番号100-8915

東京都千代田区霞が関三丁目4番3号

特許庁審査官 (権限のある職員)

田邊 英治

電話番号 03-3581-1101 内線 3292

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様式PCT/ISA/237 (表紙) (2004年1月)

第 I 欄 見解の基礎

1. この見解書は、下記に示す場合を除くほか、国際出願の言語を基礎として作成された。

☐ この見解書は、_____ 語による翻訳文を基礎として作成した。
それは国際調査のために提出された PCT 規則 12.3 及び 23.1(b) にいう翻訳文の言語である。

2. この国際出願で開示されかつ請求の範囲に係る発明に不可欠なヌクレオチド又はアミノ酸配列に関して、以下に基づき見解書を作成した。

a. タイプ ☐ 配列表

☐ 配列表に関連するテーブル

b. フォーマット ☐ 書面

☐ コンピュータ読み取り可能な形式

c. 提出時期 ☐ 出願時の国際出願に含まれる

☐ この国際出願と共にコンピュータ読み取り可能な形式により提出された

☐ 出願後に、調査のために、この国際調査機関に提出された

3. ☐ さらに、配列表又は配列表に関連するテーブルを提出した場合に、出願後に提出した配列若しくは追加して提出した配列が出願時に提出した配列と同一である旨、又は、出願時の開示を超える事項を含まない旨の陳述書の提出があった。

4. 補足意見：

第V欄 新規性、進歩性又は産業上の利用可能性についてのPCT規則43の2.1(a)(i)に定める見解、それを裏付ける文献及び説明

1. 見解

新規性 (N)	請求の範囲	1-10	有 無
	請求の範囲		
進歩性 (IS)	請求の範囲		有 無
	請求の範囲	1-10	
産業上の利用可能性 (IA)	請求の範囲	1-10	有 無
	請求の範囲		

2. 文献及び説明

- 文献1 : JP 3011043 U (大日製罐株式会社) 1995.05.16, 全文、全図
 文献2 : JP 2002-56375 A (ダイハツ工業株式会社) 2002.02.20, 全文、全図
 文献3 : JP 6-76106 A (新日本製鐵株式会社) 1994.03.18, 全文、全図
 文献4 : JP 2000-236533 A (株式会社ノバックス) 2000.08.29, 全文、全図

請求の範囲4-6、9、10に係る発明は、国際調査報告で引用された文献1又は文献2及び文献3より進歩性を有しない。文献1には角型18L金属缶のシール剤が塗布された天地板をカメラで撮像し、シール剤の塗布切れを検出することが記載されている。また文献2にはオイルパンをシールするペースト状のFIPGをカメラで撮像し、画像処理によりFIPGを画像抽出し、FIPGの塗布良否の検査を行うことが記載されている。一方、文献3には、文字画像入力装置として、自動フォーカス・自動ズームの機能を有するテレビカメラを適宜旋回することで撮像対象の画像を取得することが記載されている。文献1又は2に記載された発明と、文献3に記載された発明は、いずれもカメラで画像を取得し、その画像を処理する点で類似の技術分野に属するものであり、文献1又は2に記載された発明のカメラを、文献3に記載された発明に応じて旋回して撮像するような構成とすることは、当業者であれば容易に想到し得たものである。

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